

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MONTANA
Report on Offender Under Supervision

Name of Offender: Tyrell Henderson

Docket Number: 0977 4:16CR00010-001
0977 4:11CR00056-001

Name of Sentencing Judicial Officer: THE HONORABLE BRIAN MORRIS
CHIEF UNITED STATES DISTRICT JUDGE

Date of Original Sentence: 6/29/2017

Original Offense: **CR 11-56** 18:111.F; ASSAULTING/RESISTING/IMPEDING
OFFICERS/EMPLOYEES
CR 16-10 18:1153.F; OFFENSES COMMITTED WITHIN INDIAN COUNTRY;
18:1112.F; MANSLAUGHTER - INVOLUNTARY

Original Sentence: 92 months Bureau of Prisons, to be followed by 36 months supervised release

Type of Supervision: Supervised Release

Date Supervision Commenced: 11/15/2022

NON-COMPLIANCE SUMMARY

Background

On 01/05/2012, the defendant appeared for sentencing before THE HONORABLE SAM E. HADDON, UNITED STATES DISTRICT JUDGE, having been found guilty by jury trial of the offense in **CR 11-56**: 18.1 1.1.F; ASSAULT ON A FEDERAL OFFICER. The offense involved the defendant, who was intoxicated, punching a Bureau of Land Management law enforcement officer in the cheek with his fist, as well as striking the officer two times with his knee. A ground fight ensued until the officer gained control. The defendant was sentenced to 22 months custody, followed by 24 months supervised release.

Prior to completion of his custodial sentence, he was placed at the Great Falls Transition Center but was given a disciplinary discharge prior to completion and returned to jail for the remainder of his sentence. The discharge was for numerous rule violations and selling synthetic marijuana.

On 06/11/2014, the defendant appeared before THE HONORABLE BRIAN MORRIS, CHIEF UNITED STATES DISTRICT JUDGE, for a revocation hearing. At that time, the defendant admitted to committing a new law violation; namely, he eluded police in a high-speed chase for several miles through different jurisdictions. The defendant crashed his vehicle, and the pursuit continued on foot. Other violations included possession of a firearm, drugs, and items used in the distribution of drugs, but they were not pursued by the government. He was sentenced to 10 months custody, followed by 24 months supervised release. He began his second term of supervision on 11/24/2014.

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On 03/27/2015, the defendant appeared before THE HONORABLE BRIAN MORRIS, CHIEF UNITED STATES DISTRICT JUDGE for a revocation hearing. At that time, the defendant admitted to failing to participate in substance abuse treatment, failing to follow the United States Probation Officer's instructions, and use of a controlled substance. Another violation included possession of a firearm, but it was not pursued by the government. He was sentenced to 6 months custody, followed by 18 months supervised release. He began his third term of supervision on 07/15/2015.

On 09/21/2015, a Petition for Warrant for Offender Under Supervision was filed after the defendant failed to report for mental health and substance abuse assessments, failed to report for urinalysis testing, tested positive for methamphetamine, and admitting to alcohol consumption which resulted in a two vehicle crash which killed two people.

On 6/29/2017, the defendant appeared for sentencing before THE HONORABLE BRIAN MORRIS, CHIEF UNITED STATES DISTRICT JUDGE, having been found guilty by jury trial of the offense in **CR 16-10**: 18:1153.F; OFFENSES COMMITTED WITHIN INDIAN COUNTRY; 18:1112.F; MANSLAUGHTER - INVOLUNTARY. The offense involved the defendant (while on supervised release) driving a borrowed 2008 Chevy Impala under the influence of methamphetamine, the defendant caused a two-vehicle crash resulting in the deaths of Rylin Fay Aleen Burns, age 23, and Leanadra Lynn Thomas, age 27. The defendant was sentenced to 92 months Bureau of Prisons, to be followed by 36 months supervised release.

Prior to completion of his custodial sentence, he was placed at the Great Falls Transition Center but was given a disciplinary discharge prior to completion and returned to custody for the remainder of his sentence. The discharge was for barricading himself in his room after using methamphetamine. He told the correctional officers, *I won't let you in, you're not going to rape me again*. The defendant began the current term of supervised release on 11/15/2022.

Since that time, the probation officer believes the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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- | | |
|---|---|
| 1 | Mandatory Condition: You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court. |
|---|---|

On 11/22/2022, the defendant admitted he used methamphetamine on 11/19/2022.

- | | |
|---|---|
| 2 | Special Condition: You must abstain from the consumption of alcohol and are prohibited from entering establishments where alcohol is the primary item of sale. |
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On 11/22/2022, the defendant admitted to drinking alcohol on 11/19/2022.

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3 **Mandatory Condition:** You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

On 11/29/2022, the defendant submitted to urinalysis testing at Connections Corrections resulting in positive test(s) for methamphetamine, confirmed by CCCS Toxicology Laboratory on 12/01/2022.

U.S. Probation Officer Action:

In regard to the above conduct, the defendant reported to outpatient treatment with Karen Baumann on 11/22/2022. The defendant had not met this officer or the group before and admitted to methamphetamine use prior to urinalysis testing. He asked this officer for inpatient treatment and received support from the other group members. This officer was able to get the defendant into treatment the following Monday (11/28/2022). Due to the lack of transportation, the defendant made it to treatment the following day (11/29/2022). The defendant tested positive for methamphetamine during his intake and this officer was not informed about the positive until 12/05/2022. As of the writing of this report, this officer has not had a chance to speak with the defendant about the current use.

The defendant is adamant about not wanting to go back to the Rocky Boy Reservation or Great Falls. He reported he really wants sober living in another community. The defendant seems to be adjusting appropriately in treatment and the defendant reported on 12/02/2022 that he is starting groups and is happy to be in a supportive place. Due to the defendant currently being in inpatient treatment, this officer respectfully recommends his release be continued.

Reviewed

Respectfully Submitted

By:

By:



Kevin E. Heffernan
Supervising United States Probation Officer
Date: 12/07/2022

Jessica Heim
United States Probation Officer
Date: 12/07/2022

ORDER OF COURT

Agrees with U.S. Probation Officer's recommendation.

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A handwritten signature in blue ink, reading "Brian Morris".

Brian Morris, Chief District Judge
United States District Court

12/07/2022

Date